

**SAMPLE REQUEST FOR BEST AND FINAL OFFER  
(1/2006)**

**INSTRUCTIONS: REVISE OR DELETE AS NEEDED.**

**AFTER THE INITIAL EVALUATION OF PROPOSALS, THE PURCHASING AGENCY MAY HAVE DISCUSSIONS WITH OFFERORS DETERMINED TO BE REASONABLY SUSCEPTIBLE OF BEING SELECTED FOR AWARD (N.D.C.C. 54-44.4-10). BEST AND FINAL OFFERS (BAFO) SHOULD BE REQUESTED WHEN PROPOSALS SUBMITTED ARE UNCLEAR, HAVE DEFICIENCIES, WHEN ADDITIONAL INFORMATION IS NEEDED IN ORDER TO MAKE A DECISION, OR WHEN ALL COST PROPOSALS ARE TOO HIGH.**

**FOR EXAMPLE: IF ONE VENDOR NEEDS TO PROVIDE ADDITIONAL INFORMATION ABOUT THE PROPOSED SOLUTION, ALL OFFERORS MUST BE GIVEN AN OPPORTUNITY TO PROVIDE INFORMATION ABOUT THE PROPOSED SOLUTION.**

**ALL OFFERORS DETERMINED TO BE REASONABLY SUSCEPTIBLE FOR AWARD MUST BE GIVEN A FAIR OPPORTUNITY TO SUBMIT REVISED PROPOSALS. OFFERORS CHOSEN TO SUBMIT BEST AND FINAL OFFERS MUST BE PROVIDED WITH THE SAME INFORMATION AND SUBMISSION REQUIREMENTS. THE PURCHASING AGENCY MUST ESTABLISH A DEADLINE FOR SUBMISSION OF BEST AND FINAL OFFERS, INDICATE THE AREAS OF THE RFP TO BE ADDRESSED, AND INDICATE HOW THE REVISED PROPOSALS WILL BE EVALUATED.**

**IF AN OFFEROR DOES NOT SUBMIT A BEST AND FINAL OFFER, ITS IMMEDIATE PREVIOUS OFFER WILL BE CONSIDERED AS ITS BEST AND FINAL OFFER.**

**BEST AND FINAL OFFERORS MUST BE REQUESTED BY THE PURCHASING AGENCY. UNSOLICITED BEST AND FINAL OFFERS FROM VENDORS CANNOT BE CONSIDERED.**

**AFTER RECEIVING BEST AND FINAL OFFERS, THE PROCUREMENT OFFICER MAY CONDUCT ADDITIONAL DISCUSSIONS OR CHANGE THE STATE'S REQUIREMENTS AND REQUEST SUBMISSION OF ANOTHER BEST AND FINAL OFFER.**

**BEST AND FINAL OFFERS CAN BE EVALUATED AS AN ADJUSTMENT TO SCORES ALREADY RECEIVED, OR NEW EVALUATION CRITERIA CAN BE ESTABLISHED BASED ENTIRELY ON THE BEST AND FINAL OFFER SUBMISSION. THE BAFO REQUEST MUST DISCLOSE THE EVALUATION PROCESS.**

**DELETE ALL INSTRUCTIONS BEFORE PRINTING.**

STATE OF NORTH DAKOTA  
AGENCY OR INSTITUTION NAME  
ADDRESS  
CITY, STATE ZIP  
TELEPHONE AND FAX NUMBER

**REQUEST FOR BEST AND FINAL OFFER**

**SOLICIATION NUMBER AND TITLE: INSERT**

**OPENING DATE AND TIME: INSERT**

**DATE BEST AND FINAL OFFERS REQUESTED: INSERT DATE**

**DEADLINE FOR RECEIPT OF BEST AND FINAL OFFER: INSERT DATE, TIME, A.M.,  
CENTRAL/MOUNTAIN**

Your firm submitted a proposal in response to the above referenced Request for Proposal (RFP) issued by the **AGENCY NAME**.

The evaluation committee conducted a preliminary evaluation of proposals, and discussions were held with offerors determined to be reasonably susceptible of being selected for award for the purpose of clarifying the project requirements. The purchasing agency is requesting that offerors revise their proposals based upon these discussions and submit a Best and Final Offer.

Best and Final Offers must be received by the purchasing agency at the location specified no later than the deadline specified above. Envelopes or packages containing Best and Final Offers must be clearly addressed as described below to ensure proper delivery:

**NAME OF AGENCY OR INSTITUTION**  
**NAME OF DIVISION, SECTION, OR DISTRICT**  
Request for Proposal (RFP): **TITLE OF THE RFP**  
RFP Number: **NUMBER**  
**MAILING ADDRESS**  
**CITY, ND, ZIP CODE**

The Best and Final Offer should address the following information:

**PROVIDE SPECIFIC INFORMATION ON WHAT IS BEING REQUESTED. OFFERORS MAY BE ASKED TO REDUCE COST OR PROVIDE ADDITIONAL CLARIFICATION TO SPECIFIC SECTIONS OF THE RFP (I.E. TECHNICAL PROPOSAL, COST PROPOSAL, EXPERIENCE AND QUALIFICATION). INDICATE RFP SECTION NUMBERS, IF APPLICABLE.**

For Example:

All cost proposals received exceeded the purchasing agency's available budget for this project. The available budget is \$25,000. Offerors are instructed to submit revised, itemized cost proposals that clearly state what tasks can be accomplished within the available budget.

**SELECT ONE:**

Best and Final Offers will be evaluated as an adjustment to scores already received by offerors on their original proposal response.

**OR**

Best and Final Offerors will be evaluated as follows:

**INDICATE NEW EVALUATION CRITERIA**

The State reserves the right to conduct additional discussions after submission of Best and Final Offers. If offerors do not submit a Best and Final Offer, their original proposal will be considered their Best and Final Offer.

Please direct any questions regarding this request for Best and Final Offer to the undersigned Procurement Officer.

Sincerely,

**NAME**

Procurement Officer

PHONE: **INSERT**

FAX: **INSERT**

E-MAIL: **INSERT**